

Senate Study Bill 3220

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
HUMAN RESOURCES BILL BY
CO=CHAIRPERSON SEYMOUR)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the investigation and control of communicable
2 and infectious diseases.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 6398SK 81
5 rn/sh/8

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1 1 Section 1. Section 135.145, subsections 1, 2, and 3, Code
1 2 2005, are amended to read as follows:
1 3 1. When the department of public safety or other federal,
1 4 state, or local law enforcement agency learns of a case of a
1 5 ~~reportable~~ disease or health condition, unusual cluster, or a
1 6 suspicious event that may be the cause of a public health
1 7 disaster, the department or agency shall immediately notify
1 8 the department, the administrator of the homeland security and
1 9 emergency management division of the department of public
1 10 defense, the department of agriculture and land stewardship,
1 11 and the department of natural resources as appropriate.
1 12 2. When the department learns of a case of a ~~reportable~~
1 13 disease or health condition, an unusual cluster, or a
1 14 suspicious event that ~~the department reasonably believes could~~
1 15 ~~potentially be caused by bioterrorism or other act of~~
1 16 ~~terrorism may be the cause of a public health disaster~~, the
1 17 department shall immediately notify the department of public
1 18 safety, the homeland security and emergency management
1 19 division of the department of public defense, and other
1 20 appropriate federal, state, and local agencies and officials.
1 21 3. Sharing of information on ~~reportable~~ diseases, health
1 22 conditions, unusual clusters, or suspicious events between the
1 23 department and public safety authorities and other
1 24 governmental agencies shall be restricted to sharing of only
1 25 the information necessary for the prevention, control, and
1 26 investigation of a public health disaster.
1 27 Sec. 2. Section 139A.2, Code 2005, is amended by adding
1 28 the following new subsection:
1 29 NEW SUBSECTION. 0A. "Area quarantine" means prohibiting
1 30 ingress and egress to and from a building, structure,
1 31 facility, or environment to prevent or contain the spread of a
1 32 suspected or confirmed quarantinable disease or to prevent or
1 33 contain exposure to a suspected or known chemical, biological,
1 34 radioactive, or other hazardous or toxic agent.
1 35 Sec. 3. Section 139A.3, Code 2005, is amended by adding
2 1 the following new subsection:
2 2 NEW SUBSECTION. 3. A health care provider or public,
2 3 private, or hospital clinical laboratory shall provide the
2 4 department, local board, or local department with all
2 5 information necessary to conduct an investigation pursuant to
2 6 this chapter upon the oral or written request of the
2 7 department, local board, or local department. The department,
2 8 local board, or local department may also subpoena records,
2 9 reports, and any other evidence necessary to conduct an
2 10 investigation pursuant to this chapter from other persons,
2 11 facilities, and entities pursuant to rules adopted by the
2 12 department. Release of information pursuant to this section
2 13 shall be consistent with the federal Health Insurance
2 14 Portability and Accountability Act of 1996, Pub. L. No. 104=
2 15 191.
2 16 Sec. 4. Section 139A.4, Code 2005, is amended by adding

2 17 the following new subsection:

2 18 NEW SUBSECTION. 4. The department and the local boards
2 19 may impose and enforce area quarantine restrictions according
2 20 to rules adopted by the department.

2 21 EXPLANATION

2 22 This bill concerns efforts to investigate and control
2 23 communicable and infectious diseases by the Iowa department of
2 24 public health, local boards of health, and local health
2 25 departments.

2 26 The bill modifies current provisions in Code section
2 27 135.145 regarding the sharing of information relating to
2 28 reportable diseases and other specified conditions or events
2 29 that may be the cause of a public health disaster, by deleting
2 30 the word "reportable", thereby broadening the provisions to
2 31 include other, nonreportable diseases. As provided in Code
2 32 section 139A.2, a "reportable disease" means any disease
2 33 designated by rule by the department as requiring its
2 34 occurrence to be reported to an appropriate authority. The
2 35 bill also deletes, with respect to a provision that the
3 1 department provide notification of a reportable disease or
3 2 health condition, an unusual cluster, or a suspicious event to
3 3 specified agencies and officials, that the department
3 4 reasonably believes the object of the report could potentially
3 5 be caused by bioterrorism or other act of terrorism, providing
3 6 instead that the object of the report may be the cause of a
3 7 public health disaster.

3 8 The bill provides for a new category or classification of
3 9 quarantine, defining an "area quarantine" to mean prohibiting
3 10 ingress and egress to and from a building, structure,
3 11 facility, or environment to prevent or contain the spread of a
3 12 suspected or confirmed quarantinable disease, or to prevent or
3 13 contain exposure to a suspected or known chemical, biological,
3 14 radioactive, or other hazardous or toxic agent. The bill
3 15 authorizes the department and local boards of health to impose
3 16 and enforce area quarantine restrictions according to rules
3 17 adopted by the department.

3 18 Additionally, the bill provides that health care providers
3 19 and public, private, and hospital clinical laboratories shall
3 20 provide the department, a local board, or local health
3 21 department with all information necessary to conduct an
3 22 investigation relating to Code chapter 139A, dealing with
3 23 communicable and infectious diseases and poisonings, upon the
3 24 oral or written request of the department, local board, or
3 25 local health department. The bill confers upon the
3 26 department, local board, or local health department the
3 27 authority to issue subpoenas for records, reports, or other
3 28 evidence necessary to conduct the investigation from persons,
3 29 facilities, and entities pursuant to rules adopted by the
3 30 department. The bill provides that the release of information
3 31 shall be consistent with the federal Health Insurance
3 32 Portability and Accountability Act of 1996.

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